

Tuesday, August 19, 2003

The Board of Supervisors of the County of San Luis Obispo, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts, met in regular session at 9:00 A.M..

PRESENT: Supervisors Harry L. Ovitt, Shirley Bianchi, Peg Pinard, K.H. 'Katcho' Achadjian and Chairperson Michael P. Ryan

ABSENT: None

PLEDGE OF ALLEGIANCE TO THE FLAG LED BY SUPERVISOR PEG PINARD.

SUM AGN

1 Add **Mr. James Lindholm:** County Counsel, states there is a need to add two items to the Closed Session.

Thereafter, on motion of Supervisor Ovitt, seconded by Supervisor Achadjian and unanimously carried, the Board determines that the need to add items to the Closed Session arose subsequent to the 72-hour noticing requirements of the Brown Act and the following items are added to the Closed Session: (12) *Bernales v. County of San Luis Obispo* and CONFERENCE WITH LABOR NEGOTIATOR (Gov. Code §54957.6) It is the intention of the Board to meet in Closed Session to have a conference with its Labor Negotiator concerning the following: (13) Negotiator's Name: *Santos Arrona and David Edge*, Name of Employee Organization: *All units represented by SLOCEA*.

2 A-1-A **Thereafter, on motion of Supervisor Ovitt, seconded by Supervisor Achadjian and on the following roll call vote:**

AYES: Supervisors Ovitt, Achadjian, Bianchi, Pinard, Chairperson Ryan
NOES: None
ABSENT: None

RESOLUTION NO. 2003-272, resolution recognizing the 50th Anniversary of the Coastal San Luis Resource Conservation District, adopted.

Supervisor Achadjian: reads the resolution and presents the same to Ms. Ella Honeycutt.

Ms. Honeycutt: thanks the Board for the recognition; states it's been her pleasure to serve on the Coastal San Luis Resource Conservation District (RCD) over the years; speaks about Clark Moore who started the RCD and recently passed away.

Ms. Linda Chipping: RCD President, thanks the Board for the recognition and presents each Board member a pamphlet on the RCD.

3 A-1-B **Thereafter, on motion of Supervisor Ovitt, seconded by Supervisor Achadjian and on the following roll call vote:**

AYES: Supervisors Ovitt, Achadjian, Bianchi, Pinard, Chairperson Ryan
NOES: None
ABSENT: None

RESOLUTION NO. 2003-273, resolution commending Clifford R. Elliott upon his retirement from the County of San Luis Obispo, adopted.

Supervisor Ovitt: reads the resolution and presents the same, along with a plaque, to Mr. Clifford Elliott.

Mr. Elliott: states it has been a real joy and pleasure to be the pharmacist for the County.

Ms. Mary Witt: Family Care Administrator, thanks Mr. Elliott for all his work and

indicates he will be missed; and wishes him well.

Dr. Greg Thomas: Public Health Director, states he has known Mr. Elliott for 15 years and comments on his expertise and willingness to help and to answer questions.

4 A-1-C **Thereafter, on motion of Supervisor Ovitt, seconded by Supervisor Achadjian and on the following roll call vote:**

AYES: Supervisors Ovitt, Achadjian, Bianchi, Pinard, Chairperson Ryan
NOES: None
ABSENT: None

RESOLUTION NO. 2003-274, resolution recognizing the California Central Coast Alzheimer's Association and declaring Saturday, September 13, 2003 as "Memory Walk" at Charles Paddock Zoo Day, adopted.

Chairperson Ryan: reads the resolution and presents the same to Ms. Diane Timmerman.

Ms. Timmerman: thanks the Board for their ongoing support; addresses the Memory Walk that is scheduled on September 13th at the Charles Paddock Zoo; states Chairperson Ryan has a team to walk and encourages everyone to walk or sponsor a walker on that day; addresses the recent closure of ADCare, which was a daycare center for seniors and states that they intend to put 25% of the money raised during this walk into a fund in hopes of reopening ADCare.

5 PC This is the time set for members of the public wishing to address the Board on matters other than scheduled items.

Mr. Michael Robertson: invites the public to a meeting at the City-County Library on August 25th regarding sustainable building; outlines what this meeting will include.

Mr. Michael Kovacs: states he is glad that Public Comment is back on at 9:00 a.m.; addresses the proposed elevators for the Supervisors in the new Government Center.

Dr. Steve Hansen: speaks in support of not allowing French Hospital to close; states that Rite Aid Drug Store gave up selling tobacco products 10 years ago and has recently started selling them again; indicates they are organizing a boycott of the store because they are selling these products again and due to its location to the High School.

Ms. Julie Rodewald: County Clerk-Recorder, provides the Board with an update on the special election set for October 7th; indicates there are 135 candidates and shows a reduced copy of how the ballot will look; addresses some problems that may occur as the readers will be slower to read this large ballot and they tend to hang up in the ballot box; the sample ballots and ballots will go to print this week; indicates they still need pollworkers; gives an update on lawsuits that relate to this election. **No action taken.**

6 B-PC This is the time set for members of the public wishing to address the Board on items set on the Consent Agenda.

Mr. Lloyd Lambert: addresses Item B-8 regarding the ground lease at the Airport; indicates they have gotten all 21 members to reluctantly approve this agreement; asks the Board to approve the agreement; outlines what their association has done; addresses their concern to paying more than those folks who pay for tie-down spaces.

Dr. Stan Bower: addresses Item B-8 and references a letter he sent the Board on June 10th; addresses his concern to being moved and also being expected to pay more for this move; wants the agreement approved, but still objects to the modified rent and paying for the cost of the move, as he believes this is a benefit to the County.

Mr. Michael Cripe: addresses Item B-8 and wants to see the agreement approved.

Ms. Kim Morris: comments on Item B-27 and thanks the Board for their support of the Pops by the Sea Concert; gives each Supervisor a CD of the soloist that will be performing at this concert.

Mr. Michael Kovacs: addresses Item B-22 and his concerns to the safety of public funds; questions why this is a “receive and file” item; cites from the Government Code regarding the duties of the Auditor and the Treasurer.

Mr. Sydney Adams: speaks regarding Item B-8 and urges support of the same. **No action taken.**

7

B-1 thru B-29 Consent Agenda Item B-20 is amended to correct the coversheet and staff report to approve an agreement (Clerk’s File) to accept the funds. Item B-25 is amended to correct the coversheet to read: “Request by the Clerk to return Parcel Map CO 01-0338 to the Recorder based upon evidence received by the subdivider’s engineer.”; and, a new staff report replaces the existing one. Items B-27, B-28 and B-29 are added to the Consent Agenda.

Thereafter, on motion of Supervisor Bianchi, seconded by Supervisor Achadjian and on the following roll call vote:

AYES: Supervisors Bianchi, Achadjian, Ovitt, Pinard, Chairperson Ryan
NOES: None
ABSENT: None

Consent Agenda Items B-1 through B-29 are approved as recommended by the County Administrative Officer and as amended by this Board.

Consent Agenda Items B-1 through B-29, as amended, are on file in the Office of the County Clerk-Recorder and are available for public inspection.

Items set for bid opening and hearing:

- B-1 Plans and specifications (Clerk’s File) for the construction of guard railing at five locations in the North County and one location in the South County; 1st and 4th Districts, **Approved and the Clerk is instructed to give notice of bid opening set for September 18, 2003 at 3:00 p.m..**
- B-2 Plans and specifications (Clerk’s File) for an upgraded fuel storage system at Lopez Lake, **Approved and the Clerk is instructed to give notice of bid opening set for September 18, 2003 at 3:00 p.m..**

Administrative Office Items:

- B-3 **RESOLUTION NO. 2003-275**, amending Resolution No. 2003-86 to correct an error in the original resolution which accepted the exchange of property tax revenue and annual tax increment for Annexation No. 22 to the Nipomo Community Services District, **Adopted.**
- B-4 Agreement with North County Connection for Preventive Health Grant Funds that were approved for funding during the 2003-2004 budget hearings, **Approved.**

Behavioral Health Items:

- B-5 Lease contract (Clerk’s File) with Lucia Mar Unified School District for the lease of the Bridge Street site to provide community based and intensive services to children and their families, **Approved.**
- B-6 Agreement (Clerk’s File) with the California Mental Health Director’s Association to ensure access to specialty mental health services for children placed in other counties, **Approved.**

General Services Items:

- B-7 Waiver of transient aircraft parking fees during the relocation of portable hanger units to the westside of San Luis Obispo County Regional Airport, **Approved.**
- B-8 15 year ground lease (Clerk's File) with the San Luis Obispo T-Hanger Association for lease site "T" at the San Luis Obispo County Regional Airport, **Approved.**
- B-9 Request to create a capital project to replace the restroom at Chalk Mountain Golf Course which was destroyed by a fire and approve a budget adjustment in the amount of \$80,000 from the insurance settlement to fund the project, **Approved.**
- B-10 **RESOLUTION NO. 2003-276**, authorizing the execution of a notice of completion and acceptance for the replacement of the restroom and showers at Shamel Park in Cambria; 2nd District, **Adopted.**

Public Health Items:

- B-11 Five grant extensions (Clerk's File) with the Children and Families Commission to provide renewal funding for several programs promoting early childhood development, **Approved.**
- B-12 Agreement (Clerk's File) with the State Department of Corrections to provide Public Health laboratory testing services to the California Men's Colony, **Approved.**

Public Works Items:

- B-13 Agreement with the San Simeon Community Services District and Upper Salinas/Las Tablas Resource Conservation District for a Cable TV Access Grant and a request to approve a corresponding budget adjustment in the amount of \$4,309 from public education and government access fees, **Approved.**
- B-14 Bid opening report for the enhancement of Main Street, Cambria and a request to approve a budget adjustment in the amount of \$353,000 from Budget Unit 2920 - Roads; 2nd District, **Approved and the Chairperson is instructed to sign contract documents with Madonna Construction in the amount of \$1,308,371.**
- B-15 Request to extend a bid opening date to September 11, 2003 for the widening of Los Berros Road at El Campo Road near the community of Arroyo Grande; 4th District, **Approved.**
- B-16 **RESOLUTION NO. 2003-277**, accepting conveyance from Tracie and Robert Tachovsky to San Luis Obispo County Flood Control and Water Conservation District for Lopez Water Line Easement; 3rd District, **Adopted.**
- B-17 **RESOLUTION NO. 2003-278**, accepting road improvements on Blake Lake Canyon Drive, Sarazen Court, Jones Lane, Hogan Court, Snead Lane, Vardon Court, Byron Lane, and Kathryn Court on the Nipomo Mesa; 4th District, **Adopted.**
- B-18 The following map has been received and has satisfied all the conditions of approval that were established in the public hearings on their tentative maps, and:
 - A. Tract 2432, a proposed subdivision resulting in 10 lots, by Nipomo Homes, Butterfly Lane, Nipomo, reject the offer of dedication for a drainage basin without prejudice to future acceptance; 4th District, **Approved.**
 - B. Tract 2468, a proposed subdivision resulting in 19 lots, by Takken Development Company, 21st Street and Paso Robles Street, Oceano, reject the offer of dedication for a drainage basin without prejudice to future acceptance, **Approved** and **RESOLUTION NO. 2003-279**, accepting the offer of dedication for road widening; 4th District, **Adopted.**

Social Services Items:

- B-19 Budget adjustment in the amount of \$21,760 for Children's Services Network expenditures and revenues associated with Preventive Health Grant, **Approved.**
- B-20 1) Authorization to receive State of California Office of Child Abuse Prevention (OCAP) Funds for a Father Involvement Study; 2) to authorize the Director of Social Services to sign the letter of acceptance (Clerk's File) and; 3) to approve a budget adjustment in the amount of \$50,000 from State Revenue, **Approved as amended.**

Other Items:

- B-21 **RESOLUTION NO. 2003-280**, commending William Simpson for 6 years of dedicated service to the County of San Luis Obispo, **Adopted.**
- B-22 Submittal by the Auditor-Controller of an unannounced cash count report of the San Luis Obispo County Tax Collector, conducted on June 30, 2003, **Received and Filed.**
- B-23 **RESOLUTION NO. 2003-281**, authorizing the District Attorney to continue an agreement (Clerk's File) with the State for the 2003-04 Spousal Abuser Prosecution Program, **Adopted.**
- B-24 Request by the Sheriff-Coroner to approve a budget adjustment in the amount of \$8,820 from the Inmate Welfare Fund and amend the fixed asset list replacing a vertical cutter/mixer, **Approved.**
- B-25 Request by the Clerk-Recorder to rescind approval of Parcel Map CO 01-0338 and direct the Clerk to return to the applicant, **Approved as amended.**
- B-26 Request to authorize the use of alternative publication procedures for the Fall 2003 - General Plan Amendment Cycle, **Approved.**

ADDED (All requirements of the Brown Act were met as these were posted prior to the 72-hour noticing requirement.)

- B-27 Request by Board Members to allocate \$3,500 from Visitors Services Grant Funds (District One- \$500, District Two - \$700, District Three - \$2,000, District Four - \$100, District Five \$200) to the San Luis Obispo Symphony to promote the Pops by the Sea Concert, **Approved.**
- B-28 Contract (Clerk's File) with Fred J. Berge, M.D. to provide psychiatric services for Mental Health clients, **Approved.**
- B-29 **RESOLUTION NO. 2003-282**, by Planning and Building approving a scenic and habitat preservation agreement for conditional use permit (D010214D) with Robert Grant, Sr. and Robert Grant, Jr. for property located on the west side of Mission Street between 18th and 20th Streets in the community of San Miguel, **Adopted.**

8

- C-1 This is the time set for discussion regarding membership in the Regional Council of Rural Counties (RCRC).

Mr. David Edge: County Administrative Officer, introduces the item and Mr. Brent Harrington from RCRC.

Mr. Harrington: President and CEO for RCRC, outlines their primary goal to represent unique interests of rural counties; highlights their assistance with Calaveras County during a recent murder trial; their functions include addressing the issue of water, regulatory matters, an affordable home loan program and issues of advocacy for rural counties; they have four registered lobbyists assigned to work on Federal and State issues; outlines how they differ from other groups such as CSAC, indicating CSAC addresses issues of interest to all 58 counties and RCRC addresses "rural issues."

Chairperson Ryan: comments on the positive meeting he attended for RCRC.

Supervisor Pinard: questions the role of RCRC with housing programs and what will occur in the next couple of weeks when the State Legislature is back in session; further, questions the role of RCRC with respect to their position on unfunded mandates by the State, with Mr. Harrington responding.

Mr. Eric Greening: questions the RCRC's position on toxic waste transportation and addresses his additional concerns.

A motion by Supervisor Ovitt, seconded by Supervisor Achadjian to approve the dues payment to RCRC for FY 2003-04 and to nominate Chairperson Ryan as the County's delegate to the RCRC Board, and Supervisor Ovitt as the Alternate delegate, is discussed.

Supervisor Bianchi: states she would like to be appointed as the delegate and asks that the two issues of the dues and the delegates be made into two separate motions.

The motion maker and second amend their motion and thereafter, on motion of Supervisor Ovitt, seconded by Supervisor Achadjian, and on the following roll call vote:

AYES: Supervisors Ovitt, Achadjian, Bianchi, Pinard, Chairperson Ryan
NOES: None
ABSENT: None

the Board approves the dues payment to RCRC for FY 2003-04.

Thereafter, on motion of Supervisor Ovitt, seconded by Supervisor Achadjian and on the following roll call vote:

AYES: Supervisors Ovitt, Achadjian, Pinard, Chairperson Ryan
NOES: Supervisor Bianchi
ABSENT: None

the Board appoints Chairperson Ryan as the San Luis Obispo County delegate to the RCRC Board and Supervisor Ovitt as the Alternate.

9 D-1 This is the time set for hearing to consider a resolution to vacate a portion of K Street and a portion of Margarita Avenue (County Road No. 3110) in the community of Santa Margarita; 5th District.

Mr. Tim Smith: Right-of-Way Agent, presents the staff report and recommendation.

Mr. Allen Volbrecht: Co-Applicant, states they support the staff recommendation.

Supervisor Pinard: questions whether Parks received notification regarding this with Mr. Smith responding that they did.

Thereafter, on motion of Chairperson Ryan, seconded by Supervisor Ovitt and on the following roll call vote:

AYES: Supervisors Chairperson Ryan, Ovitt, Bianchi, Pinard, Achadjian
NOES: None
ABSENT: None

RESOLUTION NO. 2003-283, resolution vacating a portion of "K" Street, a purported public road and Margarita Avenue, County Road No. 3110 in the Town of Santa Margarita, Supervisorial District No. 5, adopted.

10 D-2 This is the time set for hearing to consider an appeal of the South County Road Improvement Fee by Joseph D. Thomas for property located on Drumm Lane, off

Southland Street in “Area 1” of the South County Road Fee area; 4th District.

Mr. Richard Marshall: Public Works, presents the staff report; indicates that Mr. Thomas was issued a building permit to move a single family residence onto property on Drumm Lane; Mr. Thomas has paid the fee and filed the appeal based on their limited financial ability to pay the fee; staff recommendation is for denial of the appeal.

Mr. Thomas, the Appellant, is not present.

Supervisor Achadjian: questions the lack of a formula and/or criteria for setting these fees; indicates there is a residence on the property currently and this will add a second residence.

Mr. Marshall: addresses what is used to determine what the fees will be.

Supervisor Achadjian: addresses his views on the existing home on the site and the possibility of reducing the fees, by half, based on this, without setting a precedent.

A motion by Supervisor Achadjian, seconded by Chairperson Ryan, to charge Mr. Thomas ½ of the fee or \$1,989.50 is discussed.

Supervisor Pinard: addresses her concern to the motion; suggests looking at setting up a procedure for a payment plan that would meet certain criteria as a procedure in the future.

Thereafter, a motion by Supervisor Achadjian, seconded by Chairperson Ryan to charge Mr. Thomas ½ of the fee or \$1,989.50, fails on the following roll call vote:

AYES: Supervisor Achadjian
NOES: Supervisors Chairperson Ryan, Ovitt, Bianchi, Pinard
ABSENT: None

Matter is further discussed and thereafter, on motion of Supervisor Achadjian, seconded by Supervisor Ovitt and on the following roll call vote:

AYES: Supervisors Achadjian, Ovitt, Bianchi, Pinard, Chairperson Ryan
NOES: None
ABSENT: None

the Board denies the appeal by Mr. J. Thomas.

11 CS The Board announces it will be going into Closed Session regarding:

I. PENDING LITIGATION (Gov. Code, § 54956.9) It is the intention of the Board to meet in Closed Session concerning the following items:

A. Conference with Legal Counsel - Existing Litigation (Gov. Code, § 54956.9(a).) (Formally initiated) (1) *In re PG&E Bankruptcy*, (2) *NRC Proceedings Concerning Diablo Canyon License Transfer*, (3) *NRC Proceedings Concerning Spent Fuel*, (4) *In re California Public Utilities Proceedings*, (5) *County of San Luis Obispo, et al. v. Mercer* **ADDED (All requirements of the Brown Act were met as these were posted prior to the 72-hour noticing requirement.)** (8) *Oceano Farming Co. v. County of San Luis Obispo*, (9) *Bejo Seeds, Inc. v. County of San Luis Obispo*, (10) *Crawford and Company, et al v. County of San Luis Obispo* and (11) *Ikeda Bros. v. San Luis Obispo County Flood Control and Water and (Added by prior action of the Board)* (12) *Bernales v. County of San Luis Obispo*.

B. Conference with Legal Counsel - Anticipated Litigation (Gov. Code, § 54956.9.) (6) *Significant exposure to litigation (Gov. Code, § 54956.9(b).)* No. of cases 2. Facts and circumstances not known to potential plaintiff which indicate significant exposure to litigation. (7) *Initiation of litigation (Gov. Code, § 54956.9(c).)* No. of cases 2.

(Added by prior action of the Board)

II. CONFERENCE WITH LABOR NEGOTIATOR (Gov. Code §54957.6) It is the intention of the Board to meet in Closed Session to have a conference with its Labor Negotiator concerning the following: (13) Negotiator's Name: *Santos Arrona and David Edge*, Name of Employee Organization: *All units represented by SLOCEA*.

Chairperson Ryan: opens the floor to public comment without response.

Thereafter, pursuant to the requirements of the Brown Act, County Counsel reports out on the items discussed during Closed Session as follows: No report required as no final action was taken and the Board goes into Open Public Session.

ADDED (All requirements of the Brown Act were met as these were posted prior to the 72-hour noticing requirement. (Items E-1 and F-1))

12 E-1 This is the time set for discussion regarding a proposed resolution on nuclear power plant license renewals.

Chairperson Ryan: indicates on August 12th the Board directed that this item be set today for discussion.

Mr. Lucian McDermott: states he is worried about the nuclear power issue and feels PG&E shouldn't be allowed to renew their license 20 years early.

Ms. Lynda Pepper: supports the resolution that was presented by Mothers for Peace.

Ms. Rochelle Becker: Mothers for Peace, states that the future of our children and grandchildren needs to be considered; addresses her concern to the storage of nuclear waste and the need to make sure it's safe and regarding the safe transport of this waste; urges the Board to approve their resolution.

Ms. Henriette Groot: states she lives in Cayucos on a dirt road with a warning siren; urges the Board to support the resolution and not allow this license to occur 20 years before it should be applied for.

Mr. David Weisman: provides information regarding early licensing renewal of a plant back east and instead of re-licensing the plant it was closed; states PG&E should have to wait to re-license.

Mr. Peter Wagner: representing the Sierra Club, states he doesn't feel it was right of the Board to continue this item to the afternoon as several speakers couldn't come back who wanted to speak; addresses his concern regarding early re-licensing and supports the resolution by Mothers for Peace.

Mr. David Nelson: supports the resolution by Mothers for Peace; feels there is no reason to approve a license this early.

Mr. Ross Pepper: supports the resolution and comments by Mr. Wagner; suggests there is a need to start making plans to dismantle this plant.

Mr. Russ Ferriday: addresses his concern to early re-licensing for this plant especially with all the problems it already has; suggests early re-licensing makes "a mockery of the process."

Mr. Mark Phillips: addresses his concerns regarding previously made comment by the Nuclear Regulatory Commission (NRC); feels the proposed resolution is benign enough that it should be adopted.

Mr. David Broadwater: states the Board needs to stand up for our Constitution; shows a tube for a rocket launcher; presents aerial photos of the area at Diablo and shows how he and several others reached the plant in 1981 and were arrested; states this plant needs

to be made safe from a terrorist attack.

Ms. Sheila Baker: reads a statement from Jane Swanson in support of the Mothers for Peace resolution and asks the Board to adopt the same.

Mr. Eric Greening: states he strongly supports the resolution and addresses his reasons for this support, including the need to protect our children and their future.

Ms. Lorraine Kitman: states that the safety of the plant is important to everyone who lives in this County and there is a need to have this plant “exceed” the NRC Safety Standards.

Mr. Gary Adams: addresses the issue and his support for adoption of the resolution.

Ms. Lynne Levine: addresses the proposed siren practice scheduled for August 23rd and her concerns to the same; urges adoption of the resolution.

Ms. Sheila Wynne: states the Board needs to look out for the residents of the County and their children; addresses her concern to seismic safety and waste storage and feels that until these and other safety questions are answered the plant should not be re-licensed.

Ms. Nancy Ferraro: addresses her concerns and feels that replacements for nuclear power should be looked at; urges adoption of the resolution.

Mr. Fred Frank: states he is speaking for his family and outlines his concerns regarding nuclear power; urges adoption of the resolution.

Ms. Pam Heatherington: ECOSLO, urges support of the resolution.

Ms. Carrie Filler: supports all the prior speakers comments; states she has no faith in the current evacuation plan; supports the resolution and feels this plant needs to be made safer.

Ms. Adrienne Dickinson: questions whether any cancer per capita rates have been done in this area, since the plant was opened; urges support of the resolution.

Ms. Joan Carter: states she needs someone to look out for hers and everyone else’s best interest.

Ms. Susan Biesek: speaks in support of the resolution being adopted.

Mr. Lionel Johnston: states he is a retired iron worker and worked at Diablo Canyon; addresses how this plant was built; suggests retrofit lighting would reduce the need for this plant.

Mr. Robert Wolf: addresses the issue and his support for adoption of the resolution.

Ms. Giselle Naylor: urges the Board to tell the NRC that more needs to be done at this plant before it is re-licensed; questions who the Board goes to if they have concerns.

Ms. Valerie Endres: states she has had concerns for a number of years as to what happens to the nuclear waste and still doesn’t have an answer; suggests this is reason enough not to allow the plant to re-license.

Ms. Ann Steele: addresses current traffic congestion in South County and suggests if there was a need for evacuation, because of the plant there, would be serious problems; addresses her concern to seismic safety.

Supervisor Achadjian: presents language for a resolution as an alternative to the Mothers for Peace resolution.

Clerk: reads Supervisor Achadjian’s alternative resolution language into the record.

Supervisor Bianchi: addresses the issue and her concerns; indicates she supports the language of the resolution presented by Mothers for Peace, but would like to see a resolution, that all the Supervisors would support, be adopted; indicates she can support the resolution presented by Supervisor Achadjian.

Chairperson Ryan: questions the fifth “Whereas” in Supervisor Achadjian’s resolution with Supervisor Achadjian responding as to the need for assurances from the NRC.

Supervisor Bianchi: addresses the need for confidentiality of the plan for terrorist attack and suggests that a copy of the plan could be given to Emergency Operations and/or the Sheriff and still maintain that confidentiality.

Supervisor Ovitt: suggests that the issue of a terrorist attack may be something that would be handled through Homeland Security rather than the NRC.

Supervisor Pinard: addresses the issue and her concerns to having assurances regarding the safety issues that have been raised.

Mr. David Edge: addresses the proposed resolution, indicating there is a need for several clerical corrections and working with the Clerk as to who should receive copies of the resolution and highlights those he believes should be included, with the Board members concurring.

Matter is fully discussed and thereafter, on motion of Supervisor Achadjian, seconded by Supervisor Bianchi and on the following roll call vote:

AYES: Supervisors Achadjian, Bianchi, Pinard

NOES: Supervisors Ovitt, Chairperson Ryan

ABSENT: None

the Board directs the Clerk to make the appropriate clerical corrections to the resolution as presented by Supervisor Achadjian and read into the record and RESOLUTION NO. 2003-284, adopted as amended.

13 F-1 This is the time set to consider a request to approve a letter to the State Attorney General opposing the consolidation of French Hospital into Arroyo Grande Hospital.

Supervisor Achadjian: addresses the issue, indicating his concern regarding the potential sale of Arroyo Grande and French Hospitals and recently finding out that a proposal has been submitted to the Attorney General, as required by law, to sell these two hospitals and another hospital in Corona, which are currently owned by Vista Hospital Systems (VHS) to Universal Health Services (UHS); indicates he has already sent a letter to the Attorney General expressing his concerns to this potential sale and would like the Board to send a letter also; presents language from the Buyers Supplement regarding the sale of the two hospitals in the County, which indicates that the County would still be adequately covered by three hospitals (Sierra Vista, Twin Cities and Arroyo Grande Community hospitals) and suggests the closure of French Hospital.

Supervisor Bianchi: speaks in support of the Board sending the letter of opposition to the consolidation of French and Arroyo Grande Hospitals into one hospital.

Mr. David Edge: County Administrative Officer, addresses a conversation he had with representatives of VHS this morning and their concern that this letter was premature; states his response was that he didn’t feel it was premature for the Board to go on record with their concerns at this time.

Supervisor Achadjian: suggests these two groups should have met with the County prior to going to the Attorney General.

Mr. Eric Greening: questions why there was no warning this might occur; addresses the requirements of the Corporation Code for a public hearing and suggests it should also be televised.

Mr. Peter Wagner: addresses the need to keep French Hospital open; speaks to the excellent heart facility at this hospital.

Ms. Pam Heatherington: states she is speaking as a private citizen and addresses her concern to the possible closure of French Hospital; supports the letter being sent to the Attorney General.

Matter is fully discussed and thereafter, on motion of Supervisor Achadjian, seconded by Supervisor Ovitt and unanimously carried, the Board approves sending the letter to the State Attorney General opposing the consolidation of French Hospital Medical Center into Arroyo Grande Hospital.

On motion duly made and unanimously carried, the Board of Supervisors of the County of San Luis Obispo, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts, does now adjourn.

I, **JULIE L. RODEWALD**, County Clerk-Recorder and Ex-Officio Clerk of the Board of Supervisors of the County of San Luis Obispo, and ex-officio clerk of the governing body of all other special assessment and taxing districts for which said Board so acts, do hereby certify that the foregoing is a fair statement of the proceedings of the meeting held Tuesday, August 19, 2003, by the Board of Supervisors of the County of San Luis Obispo, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts.

JULIE L. RODEWALD, County Clerk-Recorder
and Ex-Officio Clerk of the Board of Supervisors

By: /s/Vicki M. Shelby,
Deputy Clerk-Recorder

DATED: August 28, 2003
vms